

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

DEMETRUES BELL,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 1/16/2020

19-cr-0717 (LAK)

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ORDER

LEWIS A. KAPLAN, *District Judge*.

Defendant moves to suppress physical evidence – principally or exclusively a 9 mm semiautomatic firearm, ammunition, and a magazine – obtained by a search of his vehicle on June 28, 2019 as well as post-arrest statements made prior to his being given *Miranda* warnings. The Court, having held an evidentiary hearing, GRANTS the motion (Dkt. 12) to the extent that the physical evidence is suppressed. It is DENIED AS MOOT to the extent that it sought suppression of post-arrest statements in view of the government’s commitment not to use any post-arrest statements made prior to defendant having been given his *Miranda* warnings.

Findings and conclusions to follow.

SO ORDERED.

Dated: January 16, 2020



Lewis A. Kaplan
United States District Judge